

AMENDED IN SENATE JUNE 16, 2010

AMENDED IN SENATE APRIL 5, 2010

**SENATE BILL**

**No. 1156**

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**Introduced by Senator Cedillo**

February 18, 2010

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An act to add and repeal Section 44274.9 of the Health and Safety Code, relating to air pollution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1156, as amended, Cedillo. Heavy-duty trucks: grants: compliance.

(1) Existing law creates the Air Quality Improvement Fund, which is administered by the State Air Resources Board. The moneys in the fund are available to the state board, upon appropriation by the Legislature, to implement the Air Quality Improvement Program.

This bill would appropriate ~~\$10,000,000~~ \$20,000,000 from the Air Quality Improvement Fund to the state board for the purpose of providing ~~direct~~ grants to owners of on-road heavy-duty diesel-fueled motor vehicles *that service the state's ports and railyards* in order to purchase equipment for compliance with ~~any regulation specified~~ *drayage truck regulations* adopted by the state board ~~for the reduction of air pollution from those vehicles~~. *The bill would prescribe requirements for the administration of those moneys by the state board. The provisions of the bill would be repealed on January 1, 2013.*

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

~~SECTION 1. Notwithstanding Chapter 8.9 (commencing with Section 44270) of Part 5 of Division 26 of the Health and Safety Code, the sum of ten million dollars (\$10,000,000) is appropriated from the Air Quality Improvement Fund established pursuant to Section 44274.5 of the Health and Safety Code to the State Air Resources Board for the purpose of providing grants to owners of on-road heavy-duty diesel-fueled motor vehicles in order to purchase equipment for compliance with any regulation adopted by the State Air Resources Board for the reduction of air pollution from those vehicles.~~

*SECTION 1. Section 44274.9 is added to the Health and Safety Code, to read:*

*44274.9. (a) Notwithstanding any other provision of this chapter, the sum of twenty million dollars (\$20,000,000) is appropriated from the Air Quality Improvement Fund to the state board for the purpose of providing grants to owners of on-road heavy-duty diesel-fueled motor vehicles that service the state's ports and railyards to purchase equipment for compliance with Section 2027 of Title 13 of the California Code of Regulations.*

*(b) The moneys appropriated pursuant to subdivision (a) shall be administered consistent with subdivision (c) and with guidelines that are adopted by the state board pursuant to Chapter 3.2 (commencing with Section 39625) of Part 2, except that the moneys may be used for emission reductions that are currently required by regulations adopted by the state board.*

*(c) The state board shall provide grants pursuant to subdivision (a) consistent with all of the following requirements:*

*(1) Funding shall be awarded only to owners of three or fewer on-road heavy-duty diesel-fueled motor vehicles.*

*(2) Funding shall be used for equipment to meet 2007 model year engine emissions standards pursuant to Section 2027 of Title 13 of the California Code of Regulations, or emissions standards for a newer model year engine.*

*(3) Funding shall not be awarded for purposes of purchasing equipment for any vehicle that has already met the requirements to comply with Phase 1 of the state's drayage truck regulation pursuant to Section 2027 of Title 13 of the California Code of Regulations.*

1     (d) Any moneys not expended before January 1, 2013, shall  
2     revert to the Air Quality Improvement Fund.

3     (e) This section shall remain in effect only until January 1, 2013,  
4     and as of that date is repealed, unless a later enacted statute, that  
5     is enacted before January 1, 2013, deletes or extends that date.

6     SEC. 2. This act is an urgency statute necessary for the  
7     immediate preservation of the public peace, health, or safety within  
8     the meaning of Article IV of the Constitution and shall go into  
9     immediate effect. The facts constituting the necessity are:

10    In order to provide help to financially struggling on-road  
11    heavy-duty diesel-fueled motor vehicle owners as soon as possible,  
12    it is necessary that this act take effect immediately ~~as an urgency~~  
13    statute.